

REMARKS

The present Amendment and Response is responsive to the non-final Office Action mailed December 1, 2009. After entry of the present amendment, Claims 1, 8, and 9 have been currently amended, and Claims 1 – 6, 8, and 9 remain pending. Reconsideration and allowance of the application in view of the present amendment and following remarks is respectfully requested.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-6, 8 and 9 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as invention. Independent claim 1 has been amended to clarify the scope of claim 1 by clarifying the element “a plurality of checks”. Further, independent claims 8 and 9 have been amended to clarify the scope of claims 8 and 9 by clarifying the element “a plurality of different purchase transactions”. These rejections are believed to be traversed.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-6, 8 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,64,987 to Walker (hereinafter “*Walker*”), in view of U.S. Patent No. 5,679,940 to Templeton (hereinafter “*Templeton*”). By the present amendment, independent claims 1, 8, and 9 have been amended to clarify that the scope of the claimed inventions. In particular, claim 1 has been amended to include the following elements: “A method of approving a money limit of check cashing for a time period during which a check writer may cash checks up to the limit for a plurality of different purchase transactions, the check writer one of a plurality of check writers, the method comprising executing computer program instructions by one or more processors for: ... determining, by at least one processor, the money limit over the time period during which the check writer cashes a plurality of checks in respective check writing transactions for a respective plurality of different purchase transactions up to the money limit based on the category in which the check writer is classified.” (underlining supplied). Claims 8

and 9 have been similarly amended. Support for these amendments can be found in the Applicants' specification at least at page 9, lines 23-26, and page 11, lines 16-25 as follows:

Microprocessor 16 then classifies the check writer in a predetermined category based on the risk score and determines the limit over the time period during which the check writer may cash checks up to the limit. The limit is based on the category in which the check writer is classified.

...
If the transaction amount is not less than or equal to the remaining limit, the microprocessor 16 determines whether the remaining limit is zero in 322. If the remaining limit is zero, then microprocessor 16 transmits a signal to device 12 to deny the check writer for the transaction amount in 324. If the remaining limit is not zero, then microprocessor 16 determines whether the point of the subsequent transaction is the same as the initial point of transaction in 326. The point of transaction, location of which may be recorded by microprocessor 16, may vary in situations where a different merchant is involved. For example, points of transactions may differ between different casinos or hotels, having different standards of approving checks.

In contrast, *Walker*, relates to determining installment plans when a credit card is used in a single purchase transaction (col. 4, lines 24-45). The installment plans include any number of installment payments equal to or exceeding the purchase price for a single purchase transaction (col. 10, lines 3-26). The imposition of an installment plan on a single credit card transaction by *Walker* only determines a installment plan payments for the single credit card transaction. Of note, regardless of whether Walker relates to credit card or, as the Office Action alleges and which the Attorney for the Assignee disagrees with, electronic check credit card transactions, *Walker* does not relate to determining a single installment plan for a user to pay multiple or different purchase transactions.

In certain embodiments of the Applicants' claimed inventions, an approved limit of cash checking can be determined as a money limit over a certain time period during which the check writer cashes checks in respective check writing transactions for a respective plurality of different purchase transactions up to the money limit based on the category in which the check writer is classified. For example, as explained above in the cited portion of the Applicants' specification, "points of transactions may differ between different casinos or hotels ." In *Walker*, there is no credit limit imposed over time for different check cashing, or credit, transactions,

since *Walker* appears to be concerned with setting up an installment plan for a single transaction. Thus, *Walker* does not specifically disclose or suggest Applicants' claimed check cashing systems and methods for a respective plurality of different purchase transactions.

While *Templeton* relates to the use of certain negative and positive files, the combination of *Walker*'s determination of installment plans for a single credit transaction with *Templeton*'s use of negative and positive file information does not teach or suggest the Applicants' claimed "method of approving a money limit of check cashing for a time period during which a check writer may cash checks up to the limit for a plurality of different purchase transactions, the check writer one of a plurality of check writers, the method comprising executing computer program instructions by one or more processors for: ... determining, by at least one processor, the money limit over the time period during which the check writer cashes a plurality of checks in respective check writing transactions for a respective plurality of different purchase transactions up to the money limit based on the category in which the check writer is classified." (underlining supplied).

Since each and every element of the Applicants' amended independent claims 1, 8, and 9 are neither taught nor suggested by the cited references, the independent claims should be allowable over the cited references.

Dependent claims 2-6 are ultimately dependent from amended independent claim 1 for which arguments of patentability have been provided above. If the underlying amended independent claim is patentable over the cited references, then the dependent claims should be in condition for allowance.

Conclusion

It is not believed that extensions of time or fees for addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,
/Christopher J. Chan/
Christopher J. Chan
Attorney for the Assignee
Reg. No. 44,070

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SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street NE
Atlanta, Georgia 30309-3996
Telephone: (404) 853-8049
Facsimile: (404) 853-8806
(FDC 012900US)

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